



Office of the Attorney General
State of Texas

August 7, 1992

DAN MORALES
ATTORNEY GENERAL

Ms. Lisa A. Brown
Bracewell & Patterson
2900 South Tower Pennzoil Place
Houston, Texas 77002-2781

OR92-462

Dear Ms. Brown:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 16709.

You have received a request for, *inter alia*, copies of "all letters, cover letters, memorandums, notes, or any other form of communication, electronic media or otherwise used to notify the 'district attorneys' of the personal letter sent to Sheri Vaughn by Larry Maxwell . . . [including] the names of the attorneys and their addresses." You have submitted to us for review a fax transmittal cover sheet and claim that it is excepted from required public disclosure by sections 3(a)(1) and 3(a)(7) of the Open Records Act.

Although this office has frequently cited section 3(a)(1) to except from required public disclosure information within the attorney-client privilege, the privilege is more specifically covered under section 3(a)(7). Open Records Decision No. 574 (1990). Section 3(a)(7) protects

matters in which the duty of the Attorney General of Texas or an attorney of a political subdivision, to his client, pursuant to the Rules and Canons of Ethics of the State Bar of Texas are prohibited from disclosure, or which by order of a court are prohibited from disclosure. [Footnote omitted.]

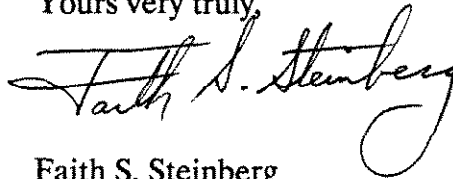
Attorney-client communications, however, may be withheld only to the extent that such communications document confidences of governmental representatives or reveal the attorney's legal opinion and advice. Open Records Decision No. 574

at 3. Records of calls made, meetings attended, or memos sent, so long as no legal advice or client confidences are revealed, may not be excepted under section 3(a)(7). *Id.*

We have examined the document submitted to us for review and agree that it contains information which constitutes client confidences. For your convenience, we have marked the portion of the document which may be withheld from required public disclosure under section 3(a)(7) of the Open Records Act. The remainder of the document, however, must be released.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR92-462.

Yours very truly,

A handwritten signature in cursive script, reading "Faith S. Steinberg". The signature is written in dark ink and is positioned above the printed name.

Faith S. Steinberg
Assistant Attorney General
Opinion Committee

FS/GCK/lmm

Enclosures: Marked Document

Ref.: ID# 16709

cc: Mr. Larry Maxwell
Bay Area Family Association
2203 N. Palm Court
Pasadena, Texas 77502
(w/o enclosures)